

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA,	§	
Petitioner,	§	
	§	
v.	§	Civil No. A-20-CV-525
	§	
\$526,758.69, SEIZED FROM	§	
JP MORGAN CHASE BANK	§	
ACCOUNT NO.: 526097172,	§	
and	§	
\$10,515.23, SEIZED FROM	§	
JP MORGAN CHASE BANK,	§	
ACCOUNT NO.: 526079667,	§	
Respondents.	§	

VERIFIED COMPLAINT FOR FORFEITURE

Comes now Petitioner United States of America, by and through the United States Attorney for the Western District of Texas and the undersigned Assistant United States Attorney, pursuant to Rule G, Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Fed. R. Civ. P., and respectfully states as follows:

**I.
NATURE OF THIS ACTION**

1. This action is brought by the United States of America seeking forfeiture to the United States of the following properties:

- \$526,758.69, more or less, in United States Currency, Seized from JP Morgan Chase Bank Account No. 526097172, and
- \$10,515.23, more or less, in United States Currency, Seized from JP Morgan Chase Bank Account No. 526079667,

hereinafter the "Respondent Properties."

II.

JURISDICTION AND VENUE

2. Under Title 28 U.S.C. § 1345, this Court has jurisdiction over an action commenced by the United States, and under Title 28 U.S.C. § 1355(a), jurisdiction over an action for forfeiture. This Court has *in rem* jurisdiction over the Respondent Properties under Title 28 U.S.C. §§1355(b) and 1395. Venue is proper in this district pursuant to Title 28 U.S.C. § 1355(b)(1) because the acts or omissions giving rise to the forfeiture occurred in this district, and pursuant to Title 28 U.S.C. §§ 1355(b)(1)(B) and 1395(b) because the Respondent Properties were found in this district.

III.

STATUTORY BASIS FOR FORFEITURE

3. This is a civil forfeiture action *in rem* brought against the Respondent Properties for violation of Title 18 U.S.C. § 1343 and subject to forfeiture to the United States of America pursuant to Title 18 U.S.C. § 981(a)(1)(C), which states (with emphasis added):

§ 981. Civil forfeiture

(a)(1) The following properties is subject to forfeiture to the United States:

(C) Any properties, real or personal, which constitutes or is derived from proceeds traceable to . . . any offense constituting “*specified unlawful activity*” (as defined in section 1956(c)(7) of this title

↓

§ 1956. Laundering of monetary instruments

(c) As used in this section—

(7) the term “*specified unlawful activity*” means—

(A) any act or activity constituting an offense listed in section 1961(1) of this title

↓

§ 1961. Definitions

As used in this chapter—

- (1) “racketeering activity” means . . . (B) any act which is indictable under any of the following provisions of *title 18, United States Code*: . . . section *1343 (relating to wire fraud)*

**IV.
FACTS IN SUPPORT OF VIOLATION**

4. The United States Secret Service (USSS), opened an investigation after receiving information from an Officer with the Austin Police Department and a Task Force Member of the USSS as to a “*Business Email Compromise*” Scheme (BEC). The investigation identified, Joy-Anne LORMEUS, as the individual who received the funds as a result of the “attacker” email sent to the Four Hands (Target Company) Controller.

5. A BEC scheme is an exploit in which an attacker obtains access to a business email account and imitates the owner’s identity, in order to defraud the company and its employees, customers, or partners. Often, an attacker will create an account with an email address almost identical to one on the corporate network, relying on the assumed trust between the victim and their email account. In most cases, scammers will focus their efforts on the employees with access to company finances and attempt to trick them into performing wire transfers to bank accounts thought to be trusted, when in reality the money ends up in accounts owned by the criminals. During the course of the investigation, agents determined that the BEC attackers gained unfettered access to the Four Hands computer system and manipulated the email system.

6. The BEC target company, (herein “Four Hands”) is a design and furnishing store located in Austin, Texas which is located within the Western District of Texas.

7. On or about December 11, 2019, a “Four Hands” accountant received an email from

a person whom he believed to be (but was later confirmed not to be) the “Four Hands” Controller. “Four Hands” uses JP Morgan Chase Banking for their payroll services. That email instructed the accountant to send the usual payroll wire from their Zions First National Bank account to a JP Morgan Chase Bank N.A. payroll services account, but with a different than normal recipient account number. The accountant felt that this was unusual and sent a reply email to who he thought was the Controller asking for verification that these instructions were correct. The accountant then received a second email from whom he believed to be the Controller (but was later confirmed not to be) re-affirming different account number, so he sent the payroll wire in the amount of \$944,253.08 to account number 526097172 at JP Morgan Chase Bank N.A., which is a bank headquartered in New York, New York, with branches operating nationwide to include Texas.

8. The Controller’s email address was exactly the same as it always has been known to the accountant, suggesting a complete computer/data system compromise. In addition, all of the “Four Hands” employee email accounts were deleted as a result of the system compromise.

9. The JP Morgan Chase Bank N.A. account number 526097172, received the “Four Hands”, \$944,253.08 wire and some of which was quickly dispersed to another personal account also held by Joy-Anne Lormeus, account number 526079667.

10. JP Morgan Chase Bank N.A. account number 526097172 is held in the company name of JOYA C&C LLC controlled by Joy-Anne Lormeus as confirmed by JP Morgan Chase Bank personnel. JOYA C&C LLC is registered in Florida. JP Morgan Chase Bank N.A. account number 526079667 is held in the name of Joy-Anne Lormeus as confirmed by JP Morgan Chase Bank personnel.]

11. A check of the Florida Sunbiz LLC system shows that a Joy-Anne Lormeus is the registered agent of JOYA C&C LLC hailing from Winter Park, FL.

12. From the JP Morgan Chase Bank N.A. account (s) controlled by Joy-Anne Lormeus some funds were dispersed via wire to various business accounts at various banks. Joy-Anne Lormeus opened her JP Morgan Chase accounts on or about August 8, 2019.

13. The term “money mule” is a person who transfers money acquired illegally (e.g., stolen) in person, through a courier service, or electronically, on behalf of others. Typically, the mule is paid for services with a small part of the money transferred. Money mules are sometimes but not always dupes recruited on-line for what they think is legitimate employment or have fallen prey to a “romance” or “confidence” scam, not aware that the money they are transferring is the proceeds of crime. The money is transferred from the mule's account to the scam operator, typically in another country (in this case, potentially in Nigeria). Agents believe Joy-Anne Lormeus is possibly acting as a money mule.

14. On December 19, 2019, USSS obtained a Federal Seizure Warrant and served JP Morgan Chase Bank at 221 West 6th Street, Austin, Texas 78701 for the two bank accounts: #526097172 and #526079667. On December 26, 2019, JP Morgan Chase Bank issued two cashier's checks to the United States Secret Service; \$526,758.60 from account #526097172 and \$10,515.23 from account #526079667, for a total of \$537,273.92 from the combined accounts.

15. Upon review of the JP Morgan Chase Bank accounts, Agents discovered that, between August 16, 2019 through December 31, 2019, the account #526097172, took in \$194,807.00 in deposits (in addition to the \$944,253.08 deposited from the cyber hacked Austin Company/Four Hands). Some funds were quickly moved to LORMEUS personal bank account #526079667. Many of the transactions appear to be just under the \$10,000.00 CTR reporting requirement.

16. Based on the foregoing facts, it is reasonable to believe that the respondent

properties are subject to forfeiture given the BEC scheme and the absence of any legitimate business between the targeted BEC accounts and respondent properties. These facts reasonably establish that the Respondent Properties are properties traceable to the Wire Fraud violation, Title 18 U.S.C. § 1343, a specified unlawful activity, which makes said Respondent Properties subject to civil forfeiture pursuant to Title 18 U.S.C. § 981(a)(1)(C).

V.
PRAYER

WHEREFORE, Petitioner, United States of America, prays that due process issue to enforce the forfeiture of the Respondent Properties, that due notice pursuant to Rule G(4) be given to all interested parties to appear and show cause why forfeiture should not be decreed,¹ and in accordance with Rule G of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Fed. R. Civ. P., that the Respondent Properties be forfeited to the United States of America, that the Respondent Properties be disposed of in accordance with the law and for any such further relief as this Honorable Court deems just and proper.

Respectfully submitted,
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¹ Appendix A, which is being filed along with this complaint, will be sent to those known to the United States to have an interest in the Respondent Properties.

VERIFICATION

Special Agent David Konopczyk, declares and says that:

1. I am a Special Agent with the United States Secret Service, assigned to the Austin Field Office, and I am the investigator responsible for the accuracy of the information provided in this litigation.

2. I have read the above Verified Complaint for Forfeiture and know: the contents thereof; the information contained in the Verified Complaint for Forfeiture has been furnished by official government sources; and the allegations contained in the Verified Complaint for Forfeiture are true based on information and belief.

Pursuant to Title 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this the 15th day of May, 2020.

/S/
David Konopczyk, Special Agent
United States Secret Service
Austin Field Office